UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF RHODE ISLAND

RECEIVED
FEB 25 2005
U.S. DISTRICT COURT
DISTRICT OF RHODE ISLAND

GEORGE GUINDON, et al.,

Plaintiffs

v. C.A. No. 03-335L

AMERICAN FOAM CORPORATION, et al.,

Defendants

STIPULATION OF DISMISSAL (AS TO DEFENDANTS ERIC POWERS, MARK KENDALL AND DAVID FILICE ONLY)

The Plaintiffs and the undersigned Defendants, pursuant to Fed. R. Civ. P. 41(a), hereby stipulate and agree that Defendants Mark Kendall, Eric Powers and David Filice are dismissed from the above-captioned action.

AGREED TO:

GEORGE GUINDON; et al.,

By Their Attorneys,

Brian R. Cunha (#____)
Karen A. Alegria (#6562)
BRIAN CUNHA & ASSOC.
904 Broadway
East Providence, RI 02914
(401) 434-5300
(401) 434-1958 (Fax)

Dated: February 18, 2005

AGREED TO:

MARK KENDALL; ERIC POWERS; and DAVID FILICE,

By Their Attorneys,

Randall L. Souza (#4082)
Fred A. Kelly, Jr. (#4553)
NIXON PEABODY LLP
One Citizens Plaza
Providence, RI 02903
(401) 454-1000
(401) 454-1030 (Fax)

Dated: February 22, 2005

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ENTER: ORDERED:

Ronald R. Lagueux
Lagueux, Sr. USDJ
2/28/05

Clerk

CERTIFICATE OF SERVICE

I hereby certify that on the 24th day of February, 2005, I served a copy of the within Stipulation of Dismissal (as to Defendants Eric Powers, Mark Kendall and David Filice Only) via e-mail to the attached service list.

Collette R. Palmer